

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**FILED ELECTRONICALLY**

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)  
CELTIC WOMAN LTD., )  
)  
Plaintiff, )  
)  
- against - )  
)  
CELTIC THUNDER LTD., )  
CELTIC MAN LTD., SHARON )  
BROWNE, WLIW LLC, )  
ALIGN ENTERTAINMENT LLC )  
and GUSTAVO SAGASTUME )  
)  
Defendant. )  
----- X

No 08-CV-0066 (TPG)

**ANSWER OF DEFENDANT  
SHARON BROWNE**

Defendant Sharon Browne (“Browne”) responds as follows to the Complaint of plaintiff Celtic Woman Ltd:

1. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 1 of the Complaint, except denies the allegations of the second sentence of paragraph 1 of the Complaint

2. Denies the allegations of paragraph 2 of the Complaint, except admits that Celtic Thunder Ltd. is a corporation organized and existing under the laws of Ireland with an office and place of business at Scarton House, Convent Road, Kildare Ireland and owns CELTIC THUNDER, which was formerly named “Celtic Man in Celtic Thunder.”

3. Denies the allegations of paragraph 3 of the Complaint, except admits that Celtic Man Ltd. is a corporation organized and existing under the laws of Ireland with an office and place of business at Scarton House, Convent Road, Kildare, Ireland.

4. Denies the allegations of paragraph 4 of the Complaint, except admits that Browne is a citizen of Ireland with an address of 70 Coolnevaun, Stillorgan County Dublin, Ireland; is the owner of Celtic Thunder Ltd. and Celtic Man Ltd.; is the former owner of Celtic Collections Ltd.; and was an employee of Celtic Collections Ltd. after its sale to Plaintiffs.

5. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 5 of the Complaint.

6. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 6 of the Complaint.

7. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 7 of the Complaint.

8. Admits the allegations of paragraph 8 of the Complaint.

9. Paragraph 9 consists of legal conclusions to which no response is required. To the extent a response may be required, denies the allegations of paragraph 9 of the Complaint.

10. Paragraph 10 consists of legal conclusions to which no response is required. To the extent a response may be required, denies the allegations of paragraph 10 of the Complaint.

11. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 11 of the Complaint.

12. Paragraph 12 consists of legal conclusions to which no response is required. To the extent a response may be required, denies the allegations of paragraph 12 of the Complaint.

13. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 13 of the Complaint.

14. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 14 of the Complaint.

15. Denies the allegations of paragraph 15 of the Complaint, except admits that the CELTIC THUNDER production is scheduled to be televised on WLIW in March 2008.

16. Paragraph 16 consists primarily of legal conclusions to which no response is required. To the extent a response may be required, denies the allegations of paragraph 16 of the Complaint.

17. Denies the allegations of paragraph 17 of the Complaint.

18. Denies the allegations of paragraph 18 of the complaint, except admits that on July 27, 2004, Liffey Records purchased Celtic Collections Ltd. from Browne for 850,000 Euros.

19. Admits the allegations of paragraph 19 of the Complaint.

20. Admits the allegations of paragraph 20 of the Complaint.

21. Denies the allegations of paragraph 21 of the Complaint.

22. Admits the allegations of paragraph 22 of the Complaint.

23. Admits the allegations of paragraph 23 of the Complaint.

24. Denies the allegations of paragraph 24 of the Complaint.

25. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 25 of the Complaint.

26. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 26 of the Complaint.

27. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 27 of the Complaint.

28. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 28 of the Complaint.

29. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 29 of the Complaint.

30. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 30 of the Complaint.

31. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 31 of the Complaint.

32. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 32 of the Complaint.

33. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 33 of the Complaint.

34. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 34 of the Complaint.

35. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 35 of the Complaint.

36. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 36 of the Complaint.

37. Paragraph 37 consists of legal conclusions to which no response is required. To the extent a response may be required, denies the allegations of paragraph 37 of the Complaint.

38. Paragraph 38 consists of legal conclusions to which no response is required. To the extent a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 38 of the Complaint.

39. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 39 of the Complaint.

40. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 40 of the Complaint.

41. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 41 of the Complaint.

42. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 42 of the Complaint.

43. Denies the allegations of paragraph 43 of the Complaint.

44. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 44 of the Complaint.

45. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 45 of the Complaint.

46. Denies the allegations of paragraph 46 of the Complaint.

47. Denies the allegations of paragraph 47 of the Complaint.

48. Denies the allegations of paragraph 48 of the Complaint, except admits that the domain names <celticman.ie>, <celticman.net>, <celticmen.net>, <celticmen.eu>, <celticmen.ie> and <celticman.mobi> were registered to promote the show formerly known as “Celtic Man in Celtic Thunder.”

49. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 49 of the Complaint.

50. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 50 of the Complaint.

51. Denies the allegations of paragraph 51 of the Complaint, except admits that a promotional DVD for a show called “Celtic Man in Celtic Thunder” was distributed at the Conference.

52. Admits the allegations of paragraph 52 of the Complaint, except denies that the promotional video makes prominent use of the trademark CELTIC WOMAN.

53. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 53 of the Complaint.

54. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 54 of the Complaint.

55. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 55 of the Complaint.

56. Denies the allegations of paragraph 56 of the Complaint, except admits that the CELTIC THUNDER production is scheduled to be televised on WLIW in March 2008.

57. Denies the allegations of paragraph 57 of the Complaint.

58. Denies the allegations of paragraph 58 of the Complaint, except admits that EMI had informed Browne on November 2, 2007 that contractually it would be unable to partner with her on “Celtic Man in Celtic Thunder” and would have to “aggressively act to protect [its] interests in the event that [her] project infringes on the Celtic Woman trademarks, or if there is any suggestion that Celtic Woman is promoting, presenting, supporting or otherwise connected to [her] show.”

59. Denies the allegations of paragraph 59 of the Complaint, except admits that on November 4, 2007 Browne informed Plaintiff that “other than me, there is and will be no association with Celtic Woman and my new show.”



60. Denies the allegations of paragraph 60 of the Complaint, except admits that defendants issued a press release on December 11, 2007 announcing the show “Celtic Man in Celtic Thunder.”

61. Denies the allegations of paragraph 61 of the Complaint.

62. Denies the allegations of paragraph 62 of the Complaint.

63. Denies the allegations of paragraph 63 of the Complaint.

64. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 64 of the Complaint.

65. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 65 of the Complaint.

66. Admits the allegations of paragraph 66 of the Complaint.

67. Denies the allegations of paragraph 67 of the Complaint.

68. Admits the allegations of paragraph 68 of the Complaint.

69. Denies the allegations of paragraph 69 of the Complaint, except admits that the United States Patent and Trademark Office issued a non-final Office Action requesting further explanation from Browne.

70. Paragraph 70 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 70 of the Complaint.

71. Paragraph 71 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 71 of the Complaint.

72. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 72 of the Complaint.

73. Paragraph 73 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 73 of the Complaint.

74. Paragraph 74 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 74 of the Complaint.

75. Paragraph 75 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 75 of the Complaint.

76. Defendant repeats and realleges each of its responses to paragraphs 1 through 75 of the Complaint as if fully set forth herein.

77. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 77 of the Complaint.

78. Paragraph 78 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 78 of the Complaint.

79. Paragraph 79 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 79 of the Complaint.

80. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 80 of the Complaint.

81. Paragraph 81 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 81 of the Complaint.

82. Paragraph 82 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 82 of the Complaint.

83. Paragraph 83 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 83 of the Complaint.

84. Denies the allegations of paragraph 84 of the Complaint.

85. Paragraph 85 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 85 of the Complaint.

86. Paragraph 86 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 86 of the Complaint.

87. Paragraph 87 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 87 of the Complaint.

88. Paragraph 88 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 88 of the Complaint.

89. Defendant repeats and realleges its responses to paragraphs 1 through 88 of the Complaint as if fully set forth herein.

90. Paragraph 90 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 90 of the Complaint.

91. Paragraph 91 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 91 of the Complaint.

92. Paragraph 92 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 92 of the Complaint.

93. Denies the allegations of paragraph 93 of the Complaint.

94. Paragraph 94 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 94 of the Complaint.

95. Denies the allegations of paragraph 95 of the Complaint.

96. Denies the allegations of paragraph 96 of the Complaint.

97. Paragraph 97 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 97 of the Complaint.

98. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 98 of the Complaint.

99. Denies the allegations of paragraph 99 of the Complaint.

100. Paragraph 100 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 100 of the Complaint.

101. Defendant repeats and realleges its responses to paragraphs 1 through 100 of the Complaint as if fully set forth herein.

102. Paragraph 102 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 102 of the Complaint.

103. Denies the allegations of paragraph 103 of the Complaint.

104. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 104 of the Complaint.

105. Paragraph 105 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 105 of the Complaint.

106. Denies the allegations of paragraph 106 of the Complaint.

107. Denies the allegations of paragraph 107 of the Complaint.

108. Paragraph 108 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 108 of the Complaint.

109. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 109 of the Complaint.

110. Paragraph 110 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 110 of the Complaint.

111. Paragraph 111 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 111 of the Complaint.

112. Defendant repeats and realleges its responses to paragraphs 1 through 111 of the Complaint as if fully set forth herein.

113. Paragraph 113 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 113 of the Complaint.

114. Denies the allegations of paragraph 114 of the Complaint.

115. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 115 of the Complaint.

116. Paragraph 116 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 116 of the Complaint.

117. Denies the allegations of paragraph 117 of the Complaint.

118. Denies the allegations of paragraph 118 of the Complaint.

119. Paragraph 119 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 119 of the Complaint.

120. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 120 of the Complaint.



121. Paragraph 121 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 121 of the Complaint.

122. Paragraph 122 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 122 of the Complaint.

123. Defendant repeats and realleges its responses to paragraphs 1 through 122 of the Complaint as if fully set forth herein.

124. Paragraph 124 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 124 of the Complaint.

125. Paragraph 125 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 125 of the Complaint.

126. Paragraph 126 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 126 of the Complaint.

127. Paragraph 127 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 127 of the Complaint.

128. Paragraph 128 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 128 of the Complaint.

129. Paragraph 129 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 129 of the Complaint.

130. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 130 of the Complaint.

131. Paragraph 131 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 131 of the Complaint.

132. Paragraph 132 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 132 of the Complaint.

133. Defendant repeats and realleges its responses to paragraphs 1 through 132 of the Complaint as if fully set forth herein.

134. Paragraph 134 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 134 of the Complaint.

135. Paragraph 135 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 135 of the Complaint.

136. Paragraph 136 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 136 of the Complaint.

137. Paragraph 137 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 137 of the Complaint.

138. Denies the allegations of paragraph 138 of the Complaint.

139. Defendant repeats and realleges its responses to paragraphs 1 through 138 of the Complaint as if fully set forth herein.

140. Paragraph 140 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or

information sufficient to form a belief as to the truth of the allegations of paragraph 140 of the Complaint.

141. Paragraph 141 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 141 of the Complaint.

142. Paragraph 142 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 142 of the Complaint.

143. Paragraph 143 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 143 of the Complaint.

144. Denies the allegations of paragraph 144 of the Complaint.

145. Defendant repeats and realleges its responses to paragraphs 1 through 144 of the Complaint as if fully set forth herein.

146. Paragraph 146 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 146 of the Complaint.

147. Paragraph 147 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 147 of the Complaint.

148. Paragraph 148 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 148 of the Complaint.

149. Paragraph 149 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 149 of the Complaint.

150. Denies the allegations of paragraph 150 of the Complaint.

151. Defendant repeats and realleges its responses to paragraphs 1 through 150 of the Complaint as if fully set forth herein.

152. Paragraph 152 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 152 of the Complaint.

153. Paragraph 153 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies knowledge or

information sufficient to form a belief as to the truth of the allegations of paragraph 153 of the Complaint.

154. Paragraph 154 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 154 of the Complaint.

155. Denies knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 155 of the Complaint.

156. Paragraph 156 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 156 of the Complaint.

157. Paragraph 157 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 157 of the Complaint.

158. Paragraph 158 consists of legal conclusions to which no response is required. To the extent to which a response may be required, denies the allegations of paragraph 158 of the Complaint.

**Answer to Prayer for Relief**

WHEREFORE, Defendant denies that Plaintiff is entitled to the relief requested or any relief.

**General Defenses**

159. Unless otherwise specifically admitted herein, each and every allegation contained in the Complaint is hereby denied.

**First Affirmative Defense**

160. The Complaint fails to state a claim upon which relief can be granted.

**Second Affirmative Defense**

161. The claims asserted in the Complaint are barred by the doctrine of laches.

**Third Affirmative Defense**

162. The claims asserted in the Complaint are barred by the doctrine of acquiescence.

**Fourth Affirmative Defense**

163. The claims asserted in the Complaint are barred by the doctrine of unclean hands.

**Fifth Affirmative Defense**

164. The claims asserted in the Complaint are moot.

Dated: New York, New York  
February 6, 2008

DEBEVOISE & PLIMPTON LLP

By: /s/ Jeremy Feigelson  
Jeremy Feigelson (JF-4963)  
Susan A. McMahon (SM-4709)

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